

REMARKS

Claims 11-20 and 29-37 are pending. By this Amendment, claims 11, 16, 29, 30, 33, and 36 are amended and claims 21-28 are canceled. Reconsideration in view of the above amendments and the following remarks is respectfully requested.

Applicants appreciate that the Examiner has withdrawn the species election requirement and issued an Office Action on all of claims 11-37.

Claims 16, 25 and 33 were objected to in paragraph 5 of the Office Action. By this Amendment, claims 16 and 33 are amended to obviate the rejection, by reciting only a rinsing step. Claim 25 is canceled to obviate the objections raised in paragraphs 5 and 6.

Reconsideration and withdrawal of the objections are respectfully requested.

Claims 11-20, 22 and 26 were rejected under 35 U.S.C. §112, first paragraph, as allegedly introducing new matter. The objected to phrase relates to “controlling the heater solely as a function of the detected humidity”. However, Applicants respectfully traverse this assertion as the original specification provides support for the claimed subject matter. For example, the original specification sets forth on page 4, lines 10-13 that “... the drying process can be ended depending on the humidity determined by the humidity sensor. That is, the drying process is only carried out until the desired degree of drying or sufficient drying of the objects to be washed has been reached.” Thus, Applicants respectfully submit that the claimed subject matter is fully supported, especially as this paragraph only mentions the parameter of output from the humidity sensor as determining when the drying process is terminated.

Reconsideration and withdrawal of the rejection are respectfully requested.

Claims 22 and 30 were rejected under 35 U.S.C. §112, second paragraph. This rejection is rendered moot by the cancelation of claim 22 and 30, respectively.

Claims 11-24 and 29-32 were rejected under 35 U.S.C. §102(b) over Okamoto et al. (JP 2515420 B). In addition, claims 25-28 and 33-37 were rejected under 35 U.S.C. §103(a) over Okamoto et al. These rejections are respectfully traversed.

In regard to independent claims 11 and 16, Okamoto et al. does not teach or suggest, for example, the step of controlling the heater solely as a function of the detected humidity (claim 16). Furthermore, Okamoto et al. does not teach or suggest that the system is configured and set to control the heater solely as a function of the detected humidity.

Okamoto et al. concerns a dishwasher having a drying chamber 6, a heater 17 and a moisture sensor 50. Okamoto et al. not only considers the desired dryness which is calculated by virtue of a moisture sensor in conjunction with the microprocessor 48, but it also calculates a moisture curve (see Figure 7) and the time it takes in order to reach the predetermined dryness level selected by the user. In particular, Okamoto et al. concerns the use of a drying process in which the user may select the desired humidity level achieved during the drying cycle. Depending on the selected humidity level, the calorific value of the heater according to the selection of the humidity level is determined, i.e., a drying curve is established as shown in Figure 7. As such, the drying time can be held constant, regardless of which humidity level is selected. Accordingly, Okamoto et al. discloses the use of a drying cycle which considers not only the signals generated by the humidity detector, but also inherently controls the heater as a function of time.

Thus, Okamoto et al. does not teach or suggest that the system is configured and set to control the heater solely as a function of the detected humidity (claim 11) or that the heater is controlled solely as a function of the detected humidity (claim 16).

In the Office Action, the Examiner states “The heater is fully capable of being controllable solely as a function of the detected humidity.” As support, the Examiner points to page 3 [function] and pages 7 and 8. However, these citations only support the position that Okamoto et al. deals with controlling the duration of the drying time based on two criteria, namely the detected humidity level and the elapsed time (as determined by the required calorific value for any given humidity setting). Moreover, claim 11 has been amended to state that the system is “configured and set” to control the heater solely as a function of the detected humidity, which even more clearly distinguishes over the Examiner’s interpretation that the heater is “capable” of being controlled solely as a

function of the detected humidity. No such amendment is believed to be necessary for claim 16 since it positively sets forth the step of controlling the heater solely as a function of the detected humidity. In this sense, the Examiner states in regard to claim 16 that “Okamoto discloses that the heater is controlled solely as a function of the detected humidity”. However, the Examiner cites the same passages of Okamoto et al., which again support Applicants position that Okamoto et al.’s drying time is controlled based on multiple criteria, not just the detected humidity level.

In regard to independent claims 29 and 33, Okamoto et al. clearly does not teach or suggest that the system for drying the objects to be washed includes a display to indicate the humidity determined by the humidity sensor, and wherein the system is switchable to an off position by an operator in an independent manner as a function of the humidity determined by the humidity sensor and indicated on the display. Reference is made to paragraph 10 of the original specification which indicates that the humidity value determined by the humidity sensor during the process can be indicated by means of a suitable display and the operator independently adjusts or ends the drying process as a result of the indicated humidity value.

The Examiner apparently takes the position that Okamoto et al. includes a halt switch which can be operated at any point during the drying cycle. The reason for this, as alleged in the Office Action, is to increase control of the drying operation and because manual operation of a dishwasher is known. See paragraph [0033]. However, Okamoto et al. seems to indicate that its LED/LCE indicate the standard humidity which the user has inputted. Thus, the operator would have no idea of the actual humidity level residing inside the dishwasher/dryer. As such, any use of the manual halt switch would not render any meaningful control over the process since the operator would have no clear idea as to the specific humidity level residing inside the dishwasher.

CONCLUSION

Reconsideration and withdrawal of the rejection are respectfully requested.

Applicants respectfully requests entry of the present Amendment. If the Examiner has any questions regarding this amendment, the Examiner is requested to contact the undersigned. If an extension of time for this paper is required, petition for extension is enclosed.

Respectfully submitted,

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